

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, SEPTEMBER 13, 2000**

PRESENT: Walter L. Alcorn, Commissioner At-Large
John R. Byers, Mount Vernon District
Judith W. Downer, Dranesville District
Janet R. Hall, Mason District
Suzanne F. Harsel, Braddock District
Ronald W. Koch, Sully District
Ilryong Moon, Commissioner At Large
Peter F. Murphy, Jr., Springfield District
John M. Palatiello, Hunter Mill District
Linda Q. Smyth, Providence District

ABSENT: John B. Kelso, Lee District
Laurie Frost Wilson, Commissioner At-Large

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The meeting was called to order at 8:30 p.m. by Chairman Peter F. Murphy, Jr.

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COMMISSION MATTERS

Commissioner Alcorn, Chairman of the Residential Development and Infill Committee, announced that the Committee would hold its next meeting at 7:30 p.m. on Wednesday, September 20, 2000 in the Board Conference Room. He encouraged all Planning Commissioners to attend and noted that the meeting was open to the public.

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Commissioner Palatiello, Chairman of the Policy and Procedures Committee, announced that the Committee would hold its next meeting at 7:30 p.m. on Thursday, September 21, 2000 in the Board Conference Room. He noted that the meeting was open to the public.

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9044-SP-02-1 BROWN'S DULLES DODGE (Sully District)

Commissioner Koch MOVED THAT THE PLANNING COMMISSION APPROVE THE ARCHITECTURAL ELEVATIONS OF THE DODGE DEALERSHIP AS PRESENTED IN THE LETTER OF INTERPRETATION DATED SEPTEMBER 11, 2000.

Commissioner Downer seconded the motion which carried unanimously with Commissioners Byers, Hall and Harsel not present for the vote; Commissioners Kelso and Wilson absent from the meeting.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF THE LANDSCAPING AND TREE PRESERVATION PLANS FOR THE ROUTE 50 BUFFER SUBMITTED WITH THE SITE PLAN FOR THE DODGE DEALERSHIP, AND DIRECT THE APPLICANT TO SUBMIT THE LANDSCAPE PLANS FOR THE BUFFER TO BE PROVIDED IN CONJUNCTION WITH RZ-1999-SU-018 AT THE TIME OF SUBMISSION OF THE SITE PLAN FOR THE DEALERSHIP TO BE LOCATED ADJACENT TO THIS BUFFER.

Commissioner Downer seconded the motion which carried unanimously with Commissioners Byers, Hall and Harsel not present for the vote; Commissioners Kelso and Wilson absent from the meeting.

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SEA-98-Y-007 - CV METROTECH, LC (Decision Only)

(The public hearing on this application was held on September 6, 2000. A complete verbatim transcript of the decision made is included in the date file.)

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SEA-98-Y-007 FOR OPTION A, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED SEPTEMBER 12, 2000.

Commissioner Alcorn seconded the motion which carried by a vote of 5-0-2 with Commissioners Murphy and Smyth abstaining; Commissioners Byers, Hall and Harsel not present for the vote; Commissioners Kelso and Wilson absent from the meeting.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE WAIVER OF THE LOT WIDTH REQUIREMENTS FOR PROPOSED LOT 1 CONTAINING THE SERVICE STATION MINIMART.

Commissioner Alcorn seconded the motion which carried by a vote of 5-0-2 with Commissioners Murphy and Smyth abstaining; Commissioners Byers, Hall and Harsel not present for the vote; Commissioners Kelso and Wilson absent from the meeting.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF THE TRANSITIONAL SCREENING REQUIREMENT AND A WAIVER OF THE BARRIER REQUIREMENT ALONG THE NORTHERN PROPERTY BOUNDARY FOR PROPOSED LOTS 1 AND 2.

Commissioner Alcorn seconded the motion which carried by a vote of 5-0-2 with Commissioners Murphy and Smyth abstaining; Commissioners Byers, Hall and Harsel not present for the vote; Commissioners Kelso and Wilson absent from the meeting.

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Commissioner Palatiello announced that some modifications to Site Plan 0206-SP-01, Reston Section 917, Blocks 1 & 2, had been made since the plan had been transmitted to the Planning Commission a few weeks ago. He noted that DPW&ES would be distributing the modifications to the site to the Commission tomorrow evening, September 14, 2000, and he planned to act on the item on Thursday, September 21, 2000.

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CP-86-C-121-13 - TYSONS STUDY CENTER, INC. (Hunter Mill District)

Commissioner Palatiello MOVED THAT THE PLANNING COMMISSION APPROVE CP-86-C-121-13, SUBJECT TO THE PLAN NOTES DATED AUGUST 18, 2000, AND CONTAINED IN THE STAFF REPORT.

Commissioner Alcorn seconded the motion which carried unanimously with Commissioners Byers, Hall and Harsel not present for the vote; Commissioners Kelso and Wilson absent from the meeting.

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2232A-D00-4-1 - CELLULAR ONE I-495 & Old Dominion Drive

Commissioner Downer MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE DETERMINATION THAT THE MODIFICATIONS PROPOSED BY CELLULAR ONE FOR THE TELECOMMUNICATIONS FACILITY LOCATED AT OLD DOMINION DRIVE AND I-495, IN THE VDOT RIGHT OF WAY, ARE IN CONFORMANCE WITH RECOMMENDATIONS OF THE COMPREHENSIVE PLAN AND CONSISTANT WITH THE PRIOR APPROVAL GRANTED BY THE PLANNING COMMISSION UNDER 2232-D00-4 ON MAY 18, 2000, AND THAT THE MODIFICATIONS BE CONSIDERED A "FEATURE SHOWN" PURSUANT TO SECTION 15.2-2232 OF THE CODE OF VIRGINIA.

Commissioner Byers seconded the motion which carried unanimously with Commissioners Hall and Harsel not present for the vote; Commissioners Kelso and Wilson absent from the meeting.

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On behalf of Commissioner Harsel who had not yet arrived, Chairman Murphy MOVED TO FURTHER DEFER THE ADMINISTRATIVE HEARING ON ITEM SP-00-B-043, SWARNA P. DESILVA, TO A DATE CERTAIN OF OCTOBER 18, 2000.

Commissioner Byers seconded the motion which carried unanimously with Commissioners Hall and Harsel not present for the vote; Commissioners Kelso and Wilson absent from the meeting.

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Chairman Murphy announced the following Department of Planning and Zoning promotions that had occurred during the Commission's recess: Ms. Donna McNeally, to Assistant Division Director, Zoning Evaluation Division, replacing Mr. Stephen Kerr, who had left the County; and, Ms. Leslie Johnson, to Branch Chief for Planning Areas II and IV. On behalf of the Planning Commission, he extended his congratulations.

He also announced that tonight was Ms. Susan Johnson's last case before the Planning Commission, noting that she had accepted the position of Administrative Aide to Supervisor Michael Frey, Sully District. He thanked her for her hard work and dedication.

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Chairman Murphy reminded everyone that the Planning Commission Seminar would be held on September 22, 23 and 24, 2000 and asked the Commissioners to sign the room requirement sheet that was being circulated.

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Commissioner Hall announced that the Fairfax County Airports Advisory Committee was sponsoring two public forums in order to obtain citizen comments on airport operations at Dulles International and Reagan National Airports. She said the first meeting would be held on Saturday, September 16, 2000 at 9:00 a.m. in the Board Auditorium and the second on Saturday, September 23, 2000 at 9:00 a.m. at the Walt Whitman Middle School. (A copy of the flyer is in the date file.)

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FS-M00-82 - NEXTEL COMMUNICATIONS (4800 Leesburg Pike)

Commissioner Hall MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE DIRECTOR OF THE OFFICE OF COMPREHENSIVE PLANNING (sic) THAT APPLICATION FS-M00-82 BE DETERMINED IN CONFORMANCE WITH THE RECOMMENDATIONS OF THE COMPREHENSIVE PLAN AND SHOULD BE CONSIDERED A "FEATURE SHOWN" PURSUANT TO SECTION 15.2-2232 OF THE CODE OF VIRGINIA.

Commissioner Byers seconded the motion which carried unanimously with Commissioners Kelso and Wilson absent from the meeting.

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ORDER OF THE AGENDA ITEMS

On behalf of Secretary Harsel who had not yet arrived, Chairman Murphy set the following order for the agenda items:

1. RZ-2000-SU-015 - ROCKLAND VILLAGE, LC
FDP-2000-SU-015 - ROCKLAND VILLAGE, LC
2. RZ-2000-SP-016 - BAUER DRIVE ASSOCIATES, LLC
RZ-2000-SP-016 - BAUER DRIVE ASSOCIATES, LLC
3. RZ-2000-BR-013 - FAIRFAX COUNTY EMPLOYEES CREDIT UNION, INC.
PCA-95-B-014 - FAIRFAX COUNTY EMPLOYEES CREDIT UNION, INC.
SE-00-B-015 - FAIRFAX COUNTY EMPLOYEES CREDIT UNION, INC.
SEA-96-B-018 - FAIRFAX COUNTY EMPLOYEES CREDIT UNION, INC.
4. RZ-2000-SU-012 - CENTEX HOMES
FDP-2000-SU-012 - CENTEX HOMES

This order was accepted without objection.

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RZ-2000-SU-015 - ROCKLAND VILLAGE, LC - Appl. to rezone from R-1 & WS to PDH-8 & WS to permit residential development at a density of 7.92 du/ac & approval of the conceptual development plan on property located on the N. side of Dallas St., approx. 800 ft. E. of Walney Rd. on approx. 0.51 ac. Comp. Plan Rec: Industrial use w/option for 8-12 du/ac. Tax Map 34-4 ((6))24. (Concurrent w/FDP-2000-SU-015.) SULLY DISTRICT.

FDP-2000-SU-015 - ROCKLAND VILLAGE, LC - Appl. to approve the final development plan for RZ- 2000-SU-015 to permit residential development on property located on the N. side of Dallas St., approx. 800 ft. E. of Walney Rd. on approx. 0.51 ac. zoned PDH-8 & WS. Tax Map 34-4 ((6))24. (Concurrent w/RZ-2000-SU-015.) SULLY DISTRICT. JOINT PUBLIC HEARING.

Mr. Edward Byrne, agent for the applicant, reaffirmed the affidavit dated August 31, 2000. There were no disclosures by Commission members.

Mr. Greg Russ, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. He noted that staff recommended approval of the application.

Mr. Byrne explained that this was an infill development for four units. He noted that the West Fairfax County Citizens Association supported the application.

Chairman Murphy called for speakers from the audience, but received no response. He noted that no rebuttal was necessary. There being no comments or questions from the Commission or closing staff remarks, he closed the public hearing and recognized Commissioner Koch for action on this case. (Verbatim excerpts are in the date file.)

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RZ-2000-SU-015 - ROCKLAND VILLAGE, LC
FDP-2000-SU-015 - ROCKLAND VILLAGE, LC

September 13, 2000

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT APPLICATION RZ-2000-SU-015 BE APPROVED, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED AUGUST 23, 2000, AS INCLUDED IN APPENDIX 1 OF THE STAFF REPORT.

Commissioner Alcorn seconded the motion which carried unanimously with Commissioners Hall and Harsel not present for the vote; Commissioners Kelso and Wilson absent from the meeting.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION APPROVE FDP-2000-SU-015, SUBJECT TO THE DEVELOPMENT CONDITIONS CONTAINED IN APPENDIX 2 OF THE STAFF REPORT AND THE BOARD'S APPROVAL OF RZ-2000-SU-015.

Commissioner Alcorn seconded the motion which carried unanimously with Commissioners Hall and Harsel not present for the vote; Commissioners Kelso and Wilson absent from the meeting.

Commissioner Koch MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE WAIVER OF THE MINIMUM DISTRICT SIZE OF TWO ACRES FOR THE PDH DISTRICT.

Commissioner Alcorn seconded the motion which carried unanimously with Commissioners Hall and Harsel not present for the vote; Commissioners Kelso and Wilson absent from the meeting.

Commissioner Koch MOVED THAT THE COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE WAIVER OF THE OPEN SPACE REQUIREMENT FOR THE PDH-8 DISTRICT.

Commissioner Alcorn seconded the motion which carried unanimously with Commissioners Hall and Harsel not present for the vote; Commissioners Kelso and Wilson absent from the meeting.

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Prior to the next case in the Springfield District, Vice Chairman Byers assumed the Chair.

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RZ- 2000-SP-016 - BAUER DRIVE ASSOCIATES, LLC - Appl.
to rezone from R-3 & HC to R-8 & HC to permit residential
development at a density of 5.64 du/ac & a waiver of the minimum
district size requirement & modification of the open space requirement
for the R-8 District on property located on the N. side of Bauer Dr.,
approx. 650 ft. S.W. of Rolling Rd. on approx. 4.43 ac. Comp. Plan
Rec: 2-3 du/ac w/option for 5-8 du/ac. Tax Map 79-3((4))37, 37A,
38A & 38B. SPRINGFIELD DISTRICT. PUBLIC HEARING.

Frank McDermott, Esquire, with Hunton and Williams, reaffirmed the affidavit dated July 26, 2000. There were no disclosures by Commission members.

Ms. Leslie Johnson, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the application.

In response to questions from Commissioner Downer, Ms. Johnson confirmed that the applicant had not proffered to make any contribution to the Park Authority for recreation purposes.

Mr. McDermott noted that the Comprehensive Plan called for townhouse development, but in response to the desires of citizens in the area, the applicant was proposing single family detached homes. He noted that parking would be provided within the development and maintained that a recreation contribution was not warranted in view of the reduced yield with the proposed single family detached design. He added, however, that there would be passive recreation areas provided on site.

Mr. McDermott responded to questions from Commissioner Downer concerning sidewalks and Commissioner Byers regarding the lack of a recreation contribution.

In response to questions from Commissioner Alcorn, Mr. McDermott confirmed that the applicant was proffering a contribution to the Housing Trust Fund.

In response to questions from Commissioner Hall, Ms. Johnson explained that the recreation contribution was not a requirement, but was one of the items considered in determining the applicant's compliance with the residential density criteria.

In response to questions from Commissioner Downer, Mr. McDermott reiterated that the proposal for single family detached homes instead of townhouses made open space and tree save amenities more difficult to achieve.

In response to questions from Commissioner Moon, Mr. McDermott acknowledged that it was the applicant's choice to build detached homes. He added that he couldn't be sure how many units would have to be deleted from the plan if 20 percent open space was required. He explained that providing 20 percent open space would not affect the tree save area because the road design dictated which trees had to be removed. Ms. Johnson said it would most likely be just one lot since the lots were approximately 6,000 square feet and the applicant needed just 3,300 additional square feet to reach 20 percent.

Vice Chairman Byers called for speakers from the audience, but received no response. He noted that no rebuttal was necessary. There being no further comments or questions

from the Commission or closing staff remarks, he closed the public hearing and recognized Commissioner Murphy for action on this case. (Verbatim excerpts are in the date file.)

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Commissioner Murphy MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE RZ-2000-SP-016, SUBJECT TO THE EXECUTION OF THE PROFFERS THAT ARE IN THE STAFF REPORT.

Commissioner Koch seconded the motion which carried by a vote of 9-0-1 with Commissioner Alcorn abstaining; Commissioners Kelso and Wilson absent from the meeting.

Commissioner Murphy MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT THEY APPROVE A WAIVER OF THE MINIMUM DISTRICT SIZE OF THE R-8 DISTRICT.

Commissioner Koch seconded the motion which carried by a vote of 9-0-1 with Commissioner Alcorn abstaining; Commissioners Kelso and Wilson absent from the meeting.

Commissioner Murphy MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE A MODIFICATION OF THE MINIMUM OPEN SPACE REQUIREMENT.

Commissioner Koch seconded the motion which carried by a vote of 7-1-2 with Commissioner Alcorn opposed; Commissioners Harsel and Moon abstaining; Commissioners Kelso and Wilson absent from the meeting.

Commissioner Murphy MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE 600 FOOT LIMITATION ON THE MAXIMUM LENGTH OF PRIVATE STREETS.

Commissioner Koch seconded the motion which carried by a vote of 9-0-1 with Commissioner Alcorn abstaining; Commissioners Kelso and Wilson absent from the meeting.

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(Chairman Murphy resumed the Chair.)

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RZ-2000-BR-013 - FAIRFAX COUNTY EMPLOYEES CREDIT
UNION, INC. - Appl. to rezone from C-5, R-1 & WS to C-2, R-1 & WS
to permit commercial use (drive-in bank) w/an overall FAR of

RZ-2000-BR-013 - FX. COUNTY EMPLOYEES CREDIT UNION
PCA-95-B-014 - FX. COUNTY EMPLOYEES CREDIT UNION
SE-00-B-015 - FX. COUNTY EMPLOYEES CREDIT UNION
SEA-96-B-018 - FX. COUNTY EMPLOYEES CREDIT UNION

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0.14 on property located S. of Lee Hwy., approx. 400 ft. E. of Shirley Gate Rd. on approx. 2.89 ac. Comp. Plan Rec: Fairfax Center Area: Office up to 0.25 FAR. Tax Map 56-2 ((1))47A. (Concurrent w/PCA-95-B-014, SE-00-B-015 & SEA-95-B-018.) BRADDOCK DISTRICT.

PCA-95-B-014 - FAIRFAX COUNTY EMPLOYEES CREDIT UNION, INC. - Appl. to amend the proffers for RZ-95-B-014 to sever land area to be rezoned in RZ-2000-BR-013 to permit a drive-in bank w/an overall FAR of 0.14 on property located S. of Lee Hwy., approx. 400 ft. E. of Shirley Gate Rd. on approx. 2.89 ac. zoned C-5, R-1 & WS. Comp. Plan Rec: Fairfax Center Area: Office up to 0.25 FAR. Tax Map 56-2((1))47A. (Concurrent w/RZ-2000-BR-013, SE-00-B-015 & SEA-95-B-018.) BRADDOCK DISTRICT.

SE-00-B-015 - FAIRFAX COUNTY EMPLOYEES CREDIT UNION, INC. - Appl. under Sect. 4-504 of the Zoning Ord. to permit a drive-in bank on property located at 11307 Lee Hwy. on approx. 1.59 ac. zoned C-2 & WS. Tax Map 56-2((1))47A pt. (Concurrent w/RZ-2000-BR-013, PCA-95-B-014 & SEA-95-B-018.) BRADDOCK DISTRICT.

SEA-95-B-018 - FAIRFAX COUNTY EMPLOYEES CREDIT UNION, INC. - Appl. under Sect. 9-609 of the Zoning Ord. to amend SE-95-B-018 previously approved for parking in an R District to permit change to the SE plat & development conditions on property located at 11307 Lee Hwy. on approx. 1.30 ac. zoned R-1 & WS. Tax Map 56-2((1))47A pt. (Concurrent w/RZ-2000-BR-013, PCA-95-B-014 & SE-00-B-015.) BRADDOCK DISTRICT. JOINT PUBLIC HEARING.

Ms. Elizabeth Baker, a planner with Walsh, Colucci, Stackhouse, Emrich and Lubeley, reaffirmed the affidavit dated September 12, 2000. There were no disclosures by Commission members.

Ms. Susan Johnson, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the applications.

In response to questions from Commissioner Harsel, Ms. Johnson explained the waivers and modifications needed for these applications.

RZ-2000-BR-013 - FX. COUNTY EMPLOYEES CREDIT UNION
PCA-95-B-014 - FX. COUNTY EMPLOYEES CREDIT UNION
SE-00-B-015 - FX. COUNTY EMPLOYEES CREDIT UNION
SEA-96-B-018 - FX. COUNTY EMPLOYEES CREDIT UNION

September 13, 2000

Ms. Baker explained that the Credit Union needed to expand its headquarters and had chosen the subject property for its central location and vehicular access. She added the site was planned for two restaurants, but the applicant was requesting a change to construct a three-story office/bank building with a floor area ratio of .25. She noted that there would be more than adequate parking and that some of the transitional screening and barrier requirement modifications requested were due to an existing easement. Ms. Baker said that as many trees as possible would be saved and that those trees would be supplemented as needed to provide buffer for adjacent residential uses. In conclusion, she stated that the Credit Union would be a good neighbor and was providing pedestrian access for Agape House residents to reach Route 29 and the bus routes on that highway.

In response to questions from Commissioner Palatiello, Ms. Baker stated that there was a Credit Union branch located in the Government Center, but that there was not sufficient space to expand that facility to accommodate the office requirements of the Credit Union headquarters.

Mr. Joseph Thomas, President of the Fairfax County Employees Credit Union, explained that, since Fairfax County Employees' families were also eligible for membership, locating the headquarters at the Government Center would mean that a large number of non-government employees would have to enter a government facility to accomplish their banking transactions. He reiterated that there was a limited amount of space at the Government Center and that the Credit Union required at least 17,000 to 18,000 square feet for headquarters operations.

In response to questions from Commissioner Palatiello, Mr. Thomas stated that approximately 50 percent of the floor space in the new building would be devoted to accounting and other non-public banking activities.

Commissioner Palatiello, Commissioner Harsel and Mr. Thomas discussed the Credit Union's needs, membership and its choice of the subject property for its expanded headquarters building.

Chairman Murphy called for speakers from the audience, but received no response. He noted that no rebuttal was necessary. There being no further comments or questions from the Commission or closing staff remarks, he closed the public hearing and recognized Commissioner Harsel for action on this case. (Verbatim excerpts are in the date file.)

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Commissioner Harsel MOVED THAT, IN REGARDS TO PCA-95-B-014, RZ-2000-BR-013, SE-00-B-015, AND SEA-95-B-018, WE DEFER DECISION, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENT, TO A DATE CERTAIN OF SEPTEMBER 20, 2000.

RZ-2000-BR-013 - FX. COUNTY EMPLOYEES CREDIT UNION
PCA-95-B-014 - FX. COUNTY EMPLOYEES CREDIT UNION
SE-00-B-015 - FX. COUNTY EMPLOYEES CREDIT UNION
SEA-96-B-018 - FX. COUNTY EMPLOYEES CREDIT UNION

September 13, 2000

Commissioner Byers seconded the motion which carried unanimously with Commissioners Kelso and Wilson absent from the meeting.

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(The Commission went into recess at 9:50 p.m. and reconvened in the Board Auditorium at 10:10 p.m.)

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RZ-2000-SU-012 - CENTEX HOMES - Appl. to rezone from R-1 & WS to PDH-4 & WS to permit residential development at a density of 3.44 du/ac include bonus density for the provision of ADUs & approval of the conceptual development plan on property located on the N. side of Lee Hwy., W. of its intersection w/the Fairfax County Pkwy. on approx. 72.60 ac. Comp. Plan Rec: Fairfax Center. Residential up to 4 du/ac at overlay level. Tax Map 55-2((3))A, A1; 55-4((1))12, 13, 15, 15A, 15B, 16, 16A & 17 & a portion of Summit Dr. public right-of-way to be vacated and/or abandoned. (Concurrent w/FDP-2000-SU-012.) (Approval of this appl. may enable the vacation and/or abandonment of portions of the public rights-of-way for Summit Dr. to proceed under Sect. 15.2-2272(2) of the Code of Virginia) SULLY DISTRICT.

FDP-2000-SU-012 - CENTEX HOMES - Appl. to approve the final development plan for RZ-2000-SU-012 to permit residential development on property located on the N. side of Lee Hwy., W. of its intersection w/the Fairfax County Pkwy. on approx. 72.6 ac. zoned PDH-4 & WS. Tax Map 55-2 ((3))A, A1; 55-4((1))12, 13, 15, 15A, 15B, 16, 16A & 17 & a portion of Summit Dr. public right-of-way to be vacated and/or abandoned. (Concurrent w/RZ-2000-SU-012.) (Approval of this appl. may enable the vacation and/or abandonment of portions of the public rights-of-way for Summit Dr. to proceed under Sect. 15.2-2272 (2) of the Code of Virginia.) SULLY DISTRICT.
JOINT PUBLIC HEARING.

Frank McDermott, Esquire, with Hunton and Williams, reaffirmed the affidavit dated September 5, 2000. There were no disclosures by Commission members.

Ms. Susan Johnson, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the applications.

In response to a question from Commissioner Koch, Ms. Johnson confirmed that there was no planned connection to Westbrook Drive.

At Commissioner Koch's request, Ms. Johnson briefly described the Comprehensive Plan review process, noting that the Plan currently recommended up to four dwelling units per acre (du/ac), which explained why R-1, the present zoning on the subject property, was not an option at this point. She noted that the applicant's proposal was in accord with the recommendations in the Plan.

Commissioner Byers commented that the garages were being included in parking calculations and noted that proposed Proffer Number 17 indicated that homeowners would not be allowed to convert their garages into any habitation use, but the language would not prevent a homeowner from using the garage for storage, thereby effectively reducing the parking space available. Ms. Johnson concurred with his suggestion that the language be revised to strengthen the intent.

Before beginning his official presentation, Mr. McDermott concurred with Commissioner Byers' proposal for Proffer 17 and suggested that the language be amended to indicate that homeowners would not be allowed to convert garages to any use other than vehicular storage.

Mr. McDermott spoke about the difficulties encountered by the applicant in assembling the 10 parcels that constituted the subject property. He explained that the original plans had included two points of access to the townhouse section, but, at staff's request, the connection to the small lot single family detached homes had been removed. He noted that the main entrance to the development had been widened and that the extension of Summit Drive would be renamed to avoid confusion. Mr. McDermott stated that the residents of Summit Drive had been trying for some time to have a traffic signal installed at the intersection of Summit Drive and Lee Highway, but the traffic volume did not meet Virginia Department of Transportation (VDOT) requirements. He said that the additional development proposed by the applicant should be sufficient to meet the requirements. He said that the applicant proposed a blended density with a variety of unit types and pointed out the tree save and buffer areas. Mr. McDermott said that the overall density, exclusive of the required affordable dwelling units (ADUs), would be 2.84 units per acre, with the larger units and lot sizes located closest to existing residential development. He added that stormwater management, environmental, trail and recreation issues had been addressed. He noted that sidewalks were planned for both sides of all streets.

In response to questions from Commissioner Harsel, Mr. McDermott said that the lot sizes ranged from 5,500 to 9,000 square feet for the small lot detached homes and from 9,000 up for the large lot detached homes.

In response to questions from Commissioner Harsel, Ms. Johnson explained that VDOT had not approved the applicant's original proposal to locate a second access point along the

merge area from Lee Highway to the Fairfax County Parkway. Mr. McDermott added that VDOT had prohibited any second access to Lee Highway, regardless of location.

In response to questions from Commissioner Byers, Ms. Johnson and Mr. McDermott explained that the purpose of the pseudo cul-de-sac between the large lot development and townhouse area was to delineate the end of the public street and the beginning of the private street as well as to provide a turn around area for VDOT snow plows which would not be continuing on to the private street in the townhouse development.

In response to further questions from Commissioner Byers about marking the limits of clearing and grading, Mr. McDermott noted that that matter was outlined in Proffer 22 which addressed tree save areas. He added that the ADUs would be in one area of the townhouse development because of the proposed building type.

In response to questions from Commissioner Palatiello, Ms. Johnson and Mr. McDermott both said that it was their understanding that the policy to disperse ADUs throughout a development rather than concentrate them in one area had not been adopted by the Board of Supervisors.

In response to further questions from Commissioner Palatiello, Mr. McDermott stated, and Ms. Johnson confirmed, that the proposal to provide only one main entrance and one emergency access for 274 housing units was endorsed by the County's Department of Transportation (DOT). Ms. Johnson added that DOT would have preferred an interparcel connection at Sebastian Drive, but that the applicant had not provided one to accommodate the desires of the citizens in the neighboring subdivision.

Commissioner Palatiello commented that an application in Hunter Mill District had received a recommendation of denial based solely on the fact that only one access point was proposed. He suggested that a consistent policy should be established and asked that DOT notify the Commission of its guidelines or policies used to determine whether one access point was acceptable or not.

In response to questions from Commissioner Moon, Mr. McDermott replied that two different sizes of townhouses were proposed for the market units and that the proposed 28 ADUs would be 20 feet wide, the same size as the smaller townhouse market units.

Chairman Murphy called the first listed speaker and recited the rules for public testimony.

The following individuals spoke in opposition to the application. Their main concerns were:

- ◆ the need for a traffic signal at the intersection of Summit Drive & Lee Highway;
- ◆ the need for sufficient buffering between new and existing development
- ◆ the need for sufficient buffering between new development and the highway;
- ◆ the need to protect the environment and save as many trees as possible;
- ◆ the need to consider overcrowding of school; and
- ◆ the need to prohibit interparcel connections with Sabastian & Westbrook Drives.

1. Ms. Karan Shaffer, 5223 Summit Drive, Fairfax,
representing the Crystal Springs Civic Association.

Ms. Shaffer responded to questions from Commissioner Byers regarding her position.

2. Ms. Claudette Ward, 5270 Tractor Lane, Fairfax,
representing the Greater Willow Springs Civic Association
3. Ms. Elaine Wilson, 5307 Summit Drive, Fairfax
4. Mr. Basil Trikas, 12705 Westbrook Drive, Fairfax
5. Ms. Margaret Woodall, 12500 Chronical Drive, Fairfax
6. Ms. Carolyn Gray, 5231 Summit Drive, Fairfax

Ms. Gray responded to questions from Commissioner Hall regarding her position.

7. Mr. Henry Sobieski, 5006 Kristina Court, Fairfax

Following Mr. Sobieski's testimony, Ms. Johnson and Mr. McDermott responded to questions from Commissioners Hall and Byers regarding noise attenuation and transitional screening.

8. Mr. Barry Sisson, 12709 Lee Highway, Fairfax
9. Ms. Cassandra Chandler, 12804 Owens Glen Drive, Fairfax
10. Mr. Philip Poole, 12408 Caisson Road, Fairfax
11. Ms. Ava Wentz, 12722 Olivia Drive, Fairfax,
representing the Willowmeade Civic Association

Following Ms. Wentz's testimony, Ms. Johnson responded to questions from Commissioner Koch regarding the cul-de-sac of Olivia Drive.

12. Mr. Ted Yachik, 12699 Sabastian Drive, Fairfax
13. Mr. Tim Kissler, 5164 Gagne Court, Fairfax
representing the Ashton Wells Homeowners Association

Mr. Keith Ewell, 12700 Sabastian Drive, Fairfax, asked that the applicant increase the buffer between his property and the new development from the proposed 10 feet to 30 feet.

15. Ms. Nancy Malthouse, 5201 George McKay Court, Fairfax
16. Ms. Jennifer Wheeler, 12706 Sabastian Drive, Fairfax
17. Ms. Brenda Diane King, 13720 Shreve Street, Centreville

Ms. King responded to questions from Commissioner Koch regarding her position.

Mr. Fred Ullman, 12719 Olivia Drive, Fairfax, said that most of his concerns had been addressed. He added that he understood that Olivia Drive could not be cul-de-saced at this time due to environmental and topographical issues, but supported the permanent closing of that street.

In response to a question from Commissioner Hall, Ms. Johnson stated that approximately 276 homes could be built on the subject property by right.

Mr. John Bokor, 12507 Lee Highway, Fairfax, spoke in support of the application. He commented on the development of Fairfax County since his arrival in 1957. He said that the applicant proposed an excellent design.

There being no further speakers, Chairman Murphy called upon Mr. McDermott for a rebuttal statement.

Mr. McDermott said the applicant had satisfactorily addressed 95 percent of the citizens' concerns and that the only outstanding issues, such as the cul-de-sacing of Olivia Drive, could not be resolved as the citizens wanted. He explained the changes already made to the development plan as a result of citizen input, noting that the buffer around the subject property varied from 10 feet to several hundred feet. He pointed out that the 10 foot area was the result of a redesign suggested by the citizens to prevent any future connection to Sabastian Drive. He added that the majority of the buffer was substantially wider and that, in several instances, supplemental plantings were proposed to increase the screening effect. He spoke about the court cases in the 1970s that established the precedent in land use that a rezoning application could not be denied based on the lack of adequate public facilities. He explained that local governments have gone to the General Assembly year after year seeking establishment of adequate public facilities legislation and the authority to require impact fees and, year after year, have been denied. He disagreed with Ms. Johnson's representation of the density that would be allowed through by-right development, noting that her figure did not include ADUs or ADU bonus units. He stated that the actual amount of units by right would be closer to 340 or 350.

Commissioner Hall explained that she had asked Ms. Johnson for the by-right numbers because of a comment by a speaker.

In response to a question from Commissioner Harsel, Mr. McDermott stated that 42 acres of the subject property would be developed at four du/ac.

In response to a question from Commissioner Hall, Mr. McDermott explained that a waiver of the barrier requirement had been requested, and a substantial berm would be constructed instead, along the townhouse portion of the subject property's frontage on Lee Highway at the request of Supervisor Michael Frey, who did not want a fence line along that road.

Continuing his rebuttal, Mr. McDermott stated that the subject property was well served by existing public transportation and shopping areas.

In response to questions from Commissioner Hall, Mr. McDermott explained the trail system proposed as part of this development. He noted that the note at the top of the development plan concerning a possible future connection along the Fairfax County Parkway referred to a pedestrian trail. He added that it was not being constructed at this time because there was nothing for it to connect to and that it was never considered as a possible vehicular access point.

Continuing his rebuttal, Mr. McDermott explained that the topography of the area was such that significant natural noise attenuation was achieved along a large portion of the subject property's boundary with the Parkway. He added that in the area where the land was lower, a larger buffer area was proposed to address noise mitigation. In conclusion, he noted that the applicant's proposal was not at the top end of the range recommended in the Comprehensive Plan and included 38 percent open space, more than double the requirement and including significant tree save areas. He added that a stormwater management facility and traffic signal at Summit Drive and Lee Highway would be provided.

In response to questions from Commissioner Byers, Mr. McDermott assured him that the applicant would install the traffic signal as soon as VDOT permitted. He stated that the applicant would do a warrant study and submit it to VDOT prior to submission of the site plan, a proposal that had the approval of both VDOT and the County's DOT. He added that, with the length of time required for the site plan approval process, there was a good chance that the warrant approval could be obtained from VDOT and the signal installed prior to construction on the site.

Commissioner Smyth cited an instance in Providence where the citizens were still waiting for a traffic signal and expressed skepticism about the possibility of a speedy installation.

Mr. McDermott responded that the Providence case was not the same since there was considerable resistance from VDOT for that traffic signal while the proposed signal in this application was already on VDOT plans.

Commissioner Koch noted that a lot of testimony had been heard tonight and a lot of letters had been received that needed to be reviewed and that he therefore intended to defer decision on this case.

Commissioner Palatiello suggested that the applicant use the deferral period to reconsider its plan to concentrate the ADUs in one location.

There being no further comments or questions from the Commission and Ms. Johnson having no closing staff remarks, Chairman Murphy closed the public hearing and recognized Commissioner Koch for a deferral motion. (Verbatim excerpts are in the date file.)

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Commissioner Koch MOVED THAT WE DEFER THE DECISION ON RZ/FDP-2000-SU-012, LEAVING THE RECORD OPEN FOR WRITTEN COMMENT, TO SEPTEMBER 28, 2000.

Commissioners Byers and Hall seconded the motion which carried unanimously with Commissioners Kelso and Wilson absent from the meeting.

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The meeting was adjourned at 12:34 p.m.
Peter F. Murphy, Jr., Chairman
Suzanne F. Harsel, Secretary

For a verbatim record of this meeting, reference may be made to the audio and video recordings which may be found in the Office of the Planning Commission of Fairfax County, Virginia.

Minutes by: Gloria L. Watkins

Approved on: June 14, 2001

Mary A. Pascoe, Clerk to the
Fairfax County Planning Commission